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JANUARY 23, 1973

TO: AMBASSADOR GODLEY, VIENTIANE
FROM: HENRY A. KISSINGER
REFERENCE: YOUR 649 & 650

1. THANK YOU FOR YOUR MESSAGES. WE RAISED THE LANGUAGE CONTAINED IN YOUR 649 WITH DRV DELEGATION TODAY AND THEY AGAIN GAVE US CATEGORICAL ASSURANCES THAT U.S. POW'S CAPTURED IN LAOS WOULD BE RELEASED IN SAME TIME FRAME AS U.S. POW'S FROM VIETNAM. THEY ALSO RECOMMENDED WE DISREGARD WHATEVER LANGUAGE MAY BE IN LAO TEXTS AS FAR AS U.S. POW RETURNS ARE CONCERNED. I WOULD THEREFORE NOT BE TOO CONCERNED ABOUT POW LANGUAGE. YOU MAY, HOWEVER, WANT TO RECOMMEND APPROPRIATE LANGUAGE TO RLG ON VERIFICATION OF MIA SINCE THIS WILL BE CONTINUING RESPONSIBILITY OF THE PARTIES WELL AFTER THE INITIAL 60 DAY PERIOD.

2. RE YOUR 650, OUR POSITION IS THAT DRV MUST LIVE UP TO OBLIGATION TO WITHDRAW FROM LAOS AND CAMBODIA AND WE THEREFORE DO NOT CONTEMPLATE PROLONGED DRV PRESENCE.

3. ON RESUPPLY, AL HAIG'S INFORMATION TO YOU ON JANUARY 18 THAT THERE WOULD BE NO LAO ENTRY POINTS FOR RESUPPLY WAS IN FACT OUR POSITION AT THAT TIME. PURPOSE OF BORDER POINTS MENTIONED BY GENERAL WOODWARD WOULD BE FOR ICCS VERIFICATION AGAINST ILLEGAL IMPORTS. PROBLEM HAS ARISEN, HOWEVER, IN THAT ULTIMATELY WE WERE NOT ABLE TO AGREE WITH DRV ON SPECIFIC ENTRY POINTS BY EACH SIDE AND IT WAS AGREED THAT MATTER WOULD BE LEFT TO SOUTH VIETNAMESE PARTIES TO DECIDE, BY MUTUAL AGREEMENT, WITHIN 15 DAYS OF THE CEASE-FIRE. WE EXPECT THAT GVN WILL NOT AGREE TO GROUND ENTRY POINTS ACROSS LAO BORDER AND, THUS, THERE WOULD BE NO JUSTIFICATION WHATSOEVER FOR EVEN MINIMAL PROLONGED NVA PRESENCE IN LAOS.

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(DP)

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under provisions of E.O. 12356
by D. Van Tassel, National Security Council

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HAK,SCOWCROFT,LORD,HOWE,KENNEDY

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